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March 27, 2020

**Via Electronic Filing**

The Honorable Magistrate Judge Steven Tiscione  
U.S. District Court Eastern District of New York  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Chincha v. Patel*  
**Case No.: 1:17-cv-06127-ILG-ST**

Dear Honorable Judge Tiscione:

This law firm represents Defendant Manojkumar Patel (the “**Defendant**”) in the above-referenced action.

Pursuant to Your Honor’s Individual Motion Practice Rules I(A), this letter respectfully serves to provide the Court with a status update following Your Honor’s March 27, 2020 Minute Order.

At 11:14 a.m. today, following this morning’s telephonic conference, the undersigned law firm noticed Plaintiff’s deposition via electronic mail addressed to Plaintiff’s counsel.

Plaintiff’s counsel did not respond to the undersigned’s email.

At 4:26 p.m. the undersigned called and emailed Plaintiff’s counsel to discuss the Plaintiff’s noticed deposition.

At 4:54 p.m., the undersigned received a phone call from Plaintiff’s counsel.

On the phone call, Plaintiff’s counsel advised the undersigned that: (i) he confirmed receipt of the notice of deposition of Carlos Chincha; and (ii) he did not contact his client following this morning’s telephonic conference to check his availability. Moreover, Plaintiff’s counsel did not mention the existence of any personal scheduling conflicts regarding the date and time of the noticed deposition. Lastly, Plaintiff’s counsel did not raise the matter of scheduling Defendant’s deposition on the phone call.

Pursuant to Your Honor’s directive on this morning’s telephonic conference, the undersigned law firm is prepared to respond accordingly should Plaintiff fail to appear for his noticed deposition.

Thank you, in advance, for your time and attention.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

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*Attorneys for Defendant*

Cc: All Parties via ECF